THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.17002 OF 2006

DATED: 22.8.2006

BETWEEN:

Vasala Ramesh … Petitioner.

And

The State Election Commission, Hyd
And others. … Respondents.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.17002 OF 2006

ORDER:

Heard the counsel.

The writ petition is filed for a writ of mandamus declaring the action of respondents 1 to 4 in not taking any action on representation filed by the petitioner dated 7.8.2006 and also declaring the election process which is done by the respondents 1 to 4for the election of Upa Sarpanch of Kothapally village, Karimnagar mandal and district and declaring the election of the Upa Sarpanch of the said village as arbitrary, illegal and liable to be set aside and consequently direct the respondents to conduct the elections for the post of Upa Sarpanch of the Kothapally village, Karimnagar Mandal and District afresh by following the procedure as prescribed under the A.P.Panchayat Election of Upa Sarpanch Rules 2006 and to pass such other suitable orders.

On a perusal of the affidavit filed in support of the writ petition several factual details had been narrated and the main grievance appears to be that the very election of the Upa Sarpanch was not in accordance with the Rules governing the field. Virtually what is complained of is that the very action impugned is in violation and in contravention of the Rules. It is needless to say that in such matters, at this stage, the writ Court normally not to interfere inasmuch as these aspects may have to be gone into by the appropriate Election Tribunal. In view of the same, the petitioner is given liberty to approach the appropriate Election Tribunal by way of election petition, if the petitioner is so advised.

The writ petition is accordingly disposed of. No costs.

22.8.2006.

Note:

Issue C.C. in three days.

B/o.

Mdaa.